



## **CITY OF HAYWARD AGENDA REPORT**

AGENDA DATE 05/11/04

AGENDA ITEM 4

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Blue Rock Country Club Grading Permit

### **RECOMMENDATION:**

It is recommended that the City Council approve the attached resolution authorizing the issuance of a grading permit for Blue Rock Country Club project.

### **BACKGROUND:**

On September 10, 2002, the Council approved the revised Vesting Tentative Tract Map 5354 and revised Precise Development Plan for the Blue Rock Country Club development. Since that time, all necessary permits from outside regulatory agencies have been obtained, and Hayward 1900 has been working through legal aspects of the project associated with their regulatory approvals. Also, some necessary wetland creation and habitat relocation efforts for the red-legged frog were begun this past fall. In accordance with California Department of Fish and Game and U.S. Fish and Wildlife Service mitigation requirements, fencing and trapping for the Alameda whipsnake began last month. The developer submitted mass grading plans for the entire development, which have been reviewed by staff for consistency with the development's conditions of approval. The developer has more recently identified the need to phase the mass grading over two summers. Although in most large development projects the start of grading is approved administratively (based on an approved tentative map), a condition of this development required City Council approval before the actual start of any grading. A notice of this agenda item was mailed to all property owners within 300 feet of the site, as well as all individuals who previously have asked to be notified regarding the project.

### **Phased Grading:**

As noted with the approval of the project, the projected amount of balanced cut and fill is approximately five million cubic yards. Being balanced means the excavated materials from the cut areas are used to fill in the fill areas, and there will not be any off-haul or import of material. Exhibit A shows the boundary between the cut and fill areas by a dotted line and highlights the areas where fills or cuts are greater than 30 feet. Exhibit B shows two cross-sections - one through Village A from the Prominence Development and Fairview Avenue,

which shows the existing and future grade line, and one through Bailey Ranch, which also shows existing and future grade lines. The grading plan is essentially the same as submitted with the tentative map; however, some staff-suggested revisions to the grading plan have resulted in further reducing the number of trees to be removed from that identified with the tentative map approval.

Of the total five million cubic yards of earthmoving, approximately 800,000 cubic yards will be accomplished in Phase I, between early June and October 15, 2004. Council, at this time, is being asked only to approve Phase I grading. The remainder of the mass grading under Phase II is scheduled for the summer of 2005, and a separate approval will be processed, at that time. Exhibit C shows the extent of the Phase I grading. There are three areas where work will be going on. Closest to Fairview Avenue, the cut areas from Village A will be used to fill the school site as well as part of the entrance road. It is important to begin grading for the school site this summer in order to maintain eligibility for approved state school bond funding. Site work must be underway by June 18, 2004, and construction of the school buildings is anticipated to commence in early 2005 with opening of the school in the fall of 2006. Also, the area for the new 1285 water reservoir must be prepared now, since Village A cannot be completed until the existing 1285 water reservoir is replaced. Furthest from Fairview Avenue is the site for the two new 1530 elevation water reservoirs that also need to be started this summer in order to provide water when it is needed for the golf course and the higher elevation villages. The work in the middle area, the future driving range location, will begin the preparation for completion of the golf course grading in 2005.

The Phase I work also includes the establishment of 16 rock outcropping sites in the improved habitat areas for the Alameda whipsnake. This work is part of the extensive mitigations required as part of various regulatory approvals. Approximately 52,000 cubic yards of rocks ranging from three-to-ten feet in diameter will be relocated - either for the habitat areas or in landscape areas - throughout the project and within the golf course. Those rocks that cannot be placed in their final location will be stockpiled. In order to ensure that there will be no detrimental effect on water quality, prior to the beginning of any rains, the approved storm water management plan will be implemented as a final aspect of this summer's grading work. As part of Phase I grading, one of the required five detention/water quality basins will be constructed below the school site.

### **Blasting:**

The amended conditions of approval contemplated the possibility of blasting for this project. This was a result of experience on the Bailey Ranch development where hard sandstone rock was encountered that could not be removed with even the heaviest earthmoving equipment. Granite Construction Company, who will be doing the grading for Hayward 1900, has determined that some of the harder sandstone rock will require blasting in order to be removed. Approximately 15-to-20 percent of the total five million cubic yards of earthwork will require blasting. Exhibit D identifies the approximate locations for blasting. Fortunately, even the closest sites that will require blasting, which occur in Village A and will be excavated in Phase I, are almost twice as far from any homes as the closest Bailey Ranch areas that required blasting. The Bailey Ranch blasting was accomplished without incident. Per the

conditions of approval, separate blasting permits will be issued by the Hayward Fire Department to ensure the safe and secure handling of the blasting operations. Police, Fire, and Public Works staff have met with Granite Construction and California Drilling & Blasting, Inc., their blasting subcontractor, to review all the necessary safeguards similar to those established with the Bailey Ranch development and based on the most recent state and federal criteria. Notices will be mailed to all the nearby neighborhoods before the start of blasting operations, and a public informational meeting on the blasting and grading in general is being planned for early June. A test blast, which is necessary to refine specific blasting parameters, is tentatively scheduled for June 4 in the vicinity of the future driving range. This test location is several thousand feet from any occupied buildings and will likely not be noticed by most residents. After completion of the initial test blast, it is anticipated that there will be two or three additional blasts a week, and based on the experience and reputation of the blasting company, staff feels confident that the blasting should go smoothly.

**Legal Status:**

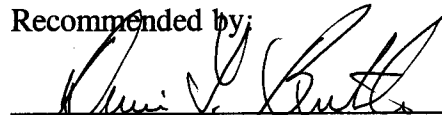
On March 29 2004, Federal District Judge Susan Illston issued a decision confirming the Blue Rock Country Club project will not jeopardize protected species. As a matter of course, opponents of the development, Hayward Area Planning Associates and the Center for Biological Diversity, have filed an appeal and repeated their request for an injunction. As Council will recall, the City is not a party to this action. Since the courts have not granted an injunction, the City is not prevented from issuing this grading permit.

Prepared by:




Robert A. Bauman, Deputy Director of Public Works

Recommended by:



Dennis L. Butler, Director of Public Works

Approved by:



Jesús Armas, City Manager

Exhibits: A: Project Cut and Fill Areas

B: Cross-sections from Prominence and Bailey Developments

C: Phase I Grading Areas

D: Projected Blasting Areas

**DUE TO THE LENGTH OR COLOR  
OF THE REFERENCED EXHIBIT,  
IT HAS BEEN ATTACHED AS A  
SEPARATE LINK.**

**DRAFT** *AK*

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY ENGINEER  
TO ISSUE A GRADING PERMIT TO HAYWARD 1900,  
INC., AND TO THE ROMAN CATHOLIC DIOCESE OF  
OAKLAND FOR PHASE I GRADING RELATED TO  
TRACT 5354, BLUE ROCK COUNTRY CLUB

BE IT RESOLVED by the City Council of the City of Hayward that the  
City Engineer is hereby authorized and directed to issue on behalf of the City of Hayward  
a Grading Permit to Hayward 1900, Inc., and the Roman Catholic Diocese of Oakland for  
Phase I grading related to Tract 5354, Blue Rock Country Club.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2004

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward